



06-02-04 A JFW DAC

Application Serial No.: 09/909,497

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bauerlein, Peter
Title: NI/METAL HYDRIDE
SECONDARY ELEMENT
Appl. No.: 09/909,497
Filing Date: 07/20/2001
Examiner: Dah-Wei D. Yuan
Art Unit: 1745
Conf. No.: 4174
Atty. Dkt. No.: 054821-0852 (formerly
1201-01)

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EV 431583086 US (Express Mail Label Number)	06/01/04 (Date of Deposit)
Roberta A. Cooper (Printed Name)	
 (Signature)	

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT APPLICATION
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on October 3, 2003, which set a three-month period for response.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Required reply and/or fee;
- (2) Petition fee (37 C.F.R. § 1.17(m));
- (3) Statement that the abandonment was unintentional; and
- (4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

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(1) Required reply and/or fee.

The proposed reply and required fee for the above-noted Office Action in the form of a Request for Continued Examination (RCE) pursuant to 37 C.F.R. § 1.114 is enclosed herewith.

(2) Petition fee (37 C.F.R. § 1.17(m))

Check number 14090 in the amount of \$1,330.00 is enclosed for the amount stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

(3) Statement that the abandonment was unintentional.

Applicant hereby states that the entire delay in filing the required reply, from the due date for the reply until the filing of this petition, was unintentional.

(4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

Respectfully submitted,

Date 6/1/04

By 

FOLEY & LARDNER LLP

Customer Number: 26371

Telephone: (414) 297-5564

Facsimile: (414) 297-4900

Marcus W. Sprow
Attorney for Applicant
Registration No. 48,580